

The Nature and Causes of Bride Abduction Cases in KwaZulu-Natal, South Africa

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ABSTRACT The paper reports on an investigation carried out to ascertain the nature and causes of bride abduction cases in KwaZulu – Natal in South Africa. The study utilized a qualitative survey design. Focus group discussions were used to collect the data on a purposefully selected sample of thirty research participants from three purposefully selected research sites. The sample consisted of eighteen (18) women and (12) twelve men comprising of abductors, witnesses of abductions, abducted women, local chiefs, headmen, head-girls and station commanders in the local police stations. Content analysis, through emerging themes, was used in analysing the data. The study revealed that bride abduction (contemporary and negative *ukuthwala*) is an abuse of the custom of *ukuthwala* (traditional bridal abduction) which is perceived by many people to have disappeared during social transformation. However, it is still prevalent in some deep rural areas of KwaZulu – Natal. Bride abduction grossly violates women's fundamental rights. Whereas traditional bridal abduction (*ukuthwala*) (to carry away with intent to marry), is a custom to many African tribes and is a global practice. The study also revealed that the nature and causes of bride abduction cases vary depending on the context where it is taking place. Furthermore, the nature and causes of bride abduction differ from that of traditional bridal abduction (*ukuthwala*) as a custom. The study therefore, concludes that before any hasty judgements are made about any cultural practice we need to separate what is culture from the abuse of culture. Recommendations were made that Law and Government should deal with the abuse of (*ukuthwala*). If the South African Government is serious about making lives of women, children, youth and the disabled better, the issue of the abuse of *ukuthwala* (bride abductions) should be made a priority.

INTRODUCTION

South African girls as young as twelve are being abducted in most cases by total strangers and forced into marriages from hell under the pretext of the age – old custom of *ukuthwala* which literally means to be carried away (Nkosi 2009). The custom of *ukuthwala* (traditional bridal abduction), traditionally allowed the carrying of a young woman away to a young man's home with an aim of marrying her. This practice is sometimes referred to as to carry away a young woman (*ukuthwala intombi*). Dent and Nyembezi (1969:1) refers to this practice as abduction (*ukuthwala ngenkani*). The custom of *ukuthwala* (traditional bridal abduction) also allowed parents to arrange the marriage of their children, but was never intended to violate the rights of children. The custom of *ukuthwala* is assumed to have vanished in the face of social change; how-

ever, it is still vigorously practiced among some deep rural Zulu communities in KwaZulu – Natal, South Africa (Nkosi 2009) ; in the Eastern Cape among rural Xhosa and Mpondo communities and possibly in other areas as well (Mfono 2000). This paper arose out of an intensive PhD research project one of the researchers carried out in selected deep rural areas of KwaZulu–Natal. The researchers spoke to dozens of young men (abductors and witnesses of abductions) and young women who had been set up , sometimes with the help of their families to be kidnapped, locked up in guarded huts and forced to have unprotected sex with strangers who had suddenly become their husbands. Abducted girls are beaten if caught trying to escape, and if they managed to get away, they are disowned for defying tradition.

Statistics show that there is a rapid growth in the cases of abductions and attempts at abductions the world over. This really indicates that abductions and attempts at abductions are a cause for concern. It is difficult to report with accuracy the numbers of abductions and attempts at abductions as there are several factors that make this impossible. For example in South Africa, the practice of bridal abduction is confused with

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marriage. In fact it is regarded as one form of marriage. Furthermore, the custom of *ukuthwala* (traditional bridal abduction) is confused with bride abduction. These are three different concepts. Traditional bridal abduction or (*ukuthwala*) is a custom to open up marriage negotiations whereas bride abduction is an abuse of the custom of *ukuthwala* which is an act of criminality and is illegal whereas the custom of *ukuthwala* (traditional bridal abduction) is not. According to the Oxford Advanced Learners Dictionary of Current English: New International Students' Edition (1995:2), abduction means 'to take away illegally using force or deception'. Seleoane (2005) argues that commentators have spoken about the custom of *ukuthwala* as abduction. "I am not sure that it is. Abduction is illegal from start to end. The custom of *ukuthwala* is not" (Seleoane 2005:1). Msimang (1991), states that *ukuthwala* is a Zulu custom that opens up marriage negotiation process and it means to carry away. The most significant demarcation between the custom of *ukuthwala* (traditional bridal abduction) and the abuse of the custom of *ukuthwala* (bride abduction) is on the process in which these practices are carried out. With the custom of *ukuthwala* (traditional bridal abduction) no beatings of a woman are taking place whereas with bride abduction there is gross violation of women's rights in terms of beatings that take place, sexual abuse and rape, witchcraft, violation of a woman's bodily integrity, emotional abuse, the payment of *lobola* by the prospective husband is guaranteed with the custom of *ukuthwala* because the practise is not meant to harm a woman whereas with abduction, most abductors do not pay *lobola* as the aim of abduction is to punish a woman. Arguably, some abductors finally pay *lobola*. With the custom of *ukuthwala* (traditional bridal abduction) a woman's consent is sought before marriage negotiations are open and there is no sexual intercourse taking place before marriage consummation whereas with bride abduction, rape takes place to leave a woman with no option but to consent to the abductor's terms.

Some scholars confuse bridal abduction with marriage, where it is regarded as another form of marriage. For example, De Jager (1971) gives an account of four 'types' of marriages in the rural areas of the Ciskei namely: traditional or customary marriage, Christian marriage, marriage by civil law, and the custom of *ukuthwala* (tradi-

tional bridal abduction). This is inappropriate because as explained earlier in this paper, bridal abduction happens before the negotiations of marriage start. It is after the woman has been abducted (*thwalwa'd*) that negotiations start and when the two families reach an agreement, any of the forms of marriages, for example, customary, Christian or civil law, may take place. De Jager (1971) does not fully explain the *ukuthwala* cultural practice, but mentions it briefly in passing by stating that there are two forms of *ukuthwala*. Monger (2004) concurs with De Jager (1971) that there is "forced bridal abduction" (*ukuthwala*), which is called "bride abduction", and there is "agreed bridal abduction" (*ukuthwala*), which is called "elopement" (Monger 2004:2). Furthermore, bridal abduction practice is confused with arranged marriage (Radio Talk Show Debate on 23 March 2011 at 6- 9pm on radio 2000 presented by K.G). This is also problematic as it confuses the custom of *ukuthwala* with the abuse of the custom that is happening in some communities. This indeed, shows how complex the phenomenon of bridal abduction is among the Zulus of KwaZulu – Natal, South Africa.

Studies on different aspects of bride abduction and attempts at abductions have been carried out in different parts of the world. Examples for the above can be seen in research outputs on bride abduction and attempts at abductions, for example, in Europe and Africa, Westermarck (1926) discusses "marriage by capture" as it took place in different parts of the world. He mentions different words alluded to such a practice but sums them up under "marriage by capture" (Westermarck 1926: 110) and the custom of *ukuthwala* (traditional bride abduction) can be added on the list. Westermarck details places where the practice took place as well as where it was prominent. He states that in Tierra del Fuego it occurred among both the Yahgans and the Onas. He further states that marriage by capture occurred among the Brazilian tribes; among South American Indians; among Luiseno Indians on the coast of California; among Chuchee inhabiting the North Eastern of Asia; among Samoyeds, Votyaks, Ostyaks, and among various other peoples belonging to the former Russian Empire; among the Kalmucks; among several tribes in India; among the Bhuiyas of the Orissa State; among the Hos in Bengal among the Chittagong hill tribes in general; in the Malay Archipelago

and Melanesia and are reported from all parts of the Australian continent. Furthermore, examples for the above can be seen in research outputs on bride abduction and attempts at abductions, for example, in Thailand and India (Park et al. 2000), in Britain; China; and among Australian Aborigines (Monger 2004; Thompson 1993), South Australia (Fison and Howitt 1880), in the world, among the ancient Greeks, Romans, Spartans, Russians, Bedouis and Wahabys (Monger 2004), in Rome (McLennan 1865), Central India and in Africa (Bryant (1949), in Lesotho (Molapo 2004), in Mozambique (Pritchard 2006), in Nigeria (Olaniyi 2003), in South Africa (Soga 1931), in Pondoland (Hunter 1961), in Ciskei (De Jager 1971), in KwaZulu – Natal (Bryant 1949; Krige 1950; Bryant 1949; Vilakazi 1962; Schapera 1946; Msimang 1995; Nyembezi and Nxumalo 1995). This shows that issues of bride abduction and attempted abduction are a global concern.

Wadesango et al. (2011: 121) review “harmful traditional and cultural practices” which lead to violation of women’s rights in SADC region and measures taken by Member States to address them. They reviewed studies, reports, policy documents and surveys from various data sets from national, regional and international organisations to gather their data. Amongst the variety of “harmful traditional and cultural practices” investigated was marriage by abduction and conclude that such practices have devastating physical and psychological effects on women. They argue that such practices continue even though States have put in place legislation and other measures to outlaw harmful traditional and cultural practices on women. On the other hand, Wood (2005) states that the process of bride abduction involves having sex with the girl, and if she resists, force is used. According to Wood, this form of sexual encounter marks the girl’s union with the man, and in their tradition the act is not in any way regarded as rape (Wood 2005:314). Abduction may or may not be with the girls consent, but is often done with the consent of the girl’s family in exchange of a cow (Wood 2005: 314). Furthermore, *ukuthwala* is reported negatively by the media and is described as kidnapping, rape and abduction, which are criminal activities (Thulo 2003; Prince 2009). Whilst on the other hand Bhengu (2005) gives a positive view of *ukuthwala*, indicated in the choice of words she uses to report the incident.

It is apparent that the meanings people make about *ukuthwala* vary. It is therefore, imperative to distinguish the custom of *ukuthwala* from the abuse of the custom before one can make a judgement about the practice. Media reports show that some people are against *ukuthwala* and seek help from the law; this is a negative view of *ukuthwala*. On the other hand, traditional views, for example those of Msimang (1991), Nyembezi and Nxumalo (1995) of *ukuthwala* are positive, where the practice is viewed as a custom. Furthermore, limited research has been conducted to investigate ‘the custom’ of *ukuthwala* among the Zulus of KwaZulu - Natal as it existed or exists among the traditional Zulu communities, and to determine how it has been affected by the cultural contact and social transformation that took place in KwaZulu – Natal, South Africa. Such information as does exist is very fragmentary and often biased, so that it would not amount to much more than conjecture. As a result, there is a dearth of empirical research, literature and thus knowledge about *ukuthwala* in KwaZulu - Natal as it exists today. This paper therefore seeks to answer the questions: What meanings do people make about the practice of *ukuthwala*; and what are the causes of *ukuthwala*?

Nature of Bride Abduction

Nkosi (2009) observes forcibly carrying away of a young woman by a group of young men in most cases comprising of her abductor and his peers with an intent to marry her, with beatings taking place if she resist, and a young woman helplessly crying and seeking for assistance with no one willing to rescue her, as the most common nature of bride abduction associated with the Zulu speaking people of KwaZulu–Natal in South Africa. Bride abduction is coupled by sexual violence and rape. What is clear here is the deliberate forcibly carrying away of a young woman with an intent to marry. Furthermore, bride abduction is characterised by rape. In almost all the studies, the researchers agree on the most common nature of bride abduction and attempts at bride abduction and some of these include kidnapping, bride snatching, forced marriage, marriage by capture, to carry off, bride stealing, seizure of a girl, rape marriage, forcible abduction, wife stealing or arranged marriage, delict, jackrolling (Westermarck 1926; George 2005; Abrahams et al. 2004).

Westermarck (1926) reports that in Europe and in Africa, forcible abduction was the most commonly reported form of marriage. Abductors continue to develop newer ways of abducting young women and the intentions are not to marry them but are for sexual violence and rape and others are due to a myth that if an HIV positive man sleeps with a virgin, the disease will be cured. In KwaZulu – Natal, South Africa, some people were using witchcraft as a new method of abducting young women. For example, hysteria (*ukuhayiza*) whereby a man would use herbs mixed with animal portions (*muthi*) to cause a woman to cry hysterically and consequently run to the man's home to present her for betrothal (*ukugana*). This process is called to throw / bewitch (*ukuphosa*). This shows that there are a number of forms in which bride abductions occur.

In the studies that have been accessed, the researchers agree on the most common nature of bride abduction and attempts at bride abduction and some of these include lack of a girl's consent, the age at which abduction is taking place is below the legal age of consent to marry, the place where abduction occurs is usually outside a girl's home whereby a young woman is caught performing gender roles, usually there is connivance of an abductor with a young woman's parents or relatives or friends in exchange for bride wealth (*lobola*), immediately on arrival at an abductors home, the young woman is given a black leather skirt (*isidwaba*) as a symbol that she has "come out of age" from girlhood to womanhood, thereafter, she is made a wife through forced sexual intercourse by her abductor, she is kept in a safeguarded hut with other people keeping a close eye on her to make sure she does not run away, the following day she is expected to perform gender roles (for example, fetching water from the river, fetching fire wood from the bush, doing washing, cooking for the entire in-laws etc.) as would have been expected from any married woman to please her in-laws and her husband and to show off that she is indeed a "real woman".

Research reports show that the custom of bride abduction (*ukuthwala*) is not unique to KwaZulu–Natal and South Africa, although it is not referred to as such in other parts of the world. Westermarck (1926: 110) argues that marriage by capture is a global practice and research shows that such a practice is not unique to Africa. He

mentions different words used in different parts of the world that refer to the practice of marriage by capture and states that the list is endless but these he sums them up under "marriage by capture". These words include to carry off; bride stealing; seizure of a girl; rape marriage; and forcible abduction. The custom of bridal abduction (*ukuthwala*) can be added to the list. He argues that the process varies from place to place; hence, different words. However, what is common across all communities is that a man, or his relatives and friends carry off a woman with an intention to marry her.

Causes of Bride Abductions

The custom of bridal abduction (*ukuthwala*) among the Zulu people dates back in pre-contact times or before the Whiteman encountered them (Bryant 1949; Msimang 1991; Nyembezi and Nxumalo 1995). The custom of bridal abduction (*ukuthwala*) is a Zulu practice that opens up marriage negotiation process when it is difficult to have these started. Msimang (1991) explains the process of the custom of bridal abduction (*ukuthwala*) as it was taking place in traditional Zulu communities. He states that a young man and his "sib-mates" carried the woman to the young man's home. On arrival, they would dress the young woman in a black leather skirt (*isidwaba*). Professor Hulumende Maphalala of the University of Zululand (cited in Seleokane 2005) says a woman who has been carried away (*thwalwa'd*) must not cry, because if she does, there will be faction fights (*izimpi zezigodi*). After a young woman was carried away (*thwalwa'd*), a message through marriage negotiators (*abakhongi*) was sent to her parents telling them to search from this side for their missing daughter (*funelani nganeno*) which is an expression that simply informs them about where she was. In this case, bride price (*ilobolo*) negotiations resume and marriage negotiation process becomes open. This is an indication that the man who carried away (*thwala'd*) the young female did not mean bad. Places where a young woman is carried away (*ukuthwala*) and the times of occurrences vary, but usually it happens when the woman is not at home (for example, during traditional ceremonies, or when young women go to fetch water or firewood).

The customs of bridal abduction (*ukuthwala*) was meant to solve a problem between a young

man and a young woman who were in a love relationship and intended to marry but were faced with obstacles to realise their dream (Nyembezi and Nxumalo 1995: 115). The obstacles could be that the young woman's parents were not ready to let their daughter marry. It could happen also when a young woman who is about to marry someone met another young man whom she loved more than the one who had paid bride price (*ilobolo*) and was about to marry her. In this situation, a plan would be made to break the love relationship with the man who has paid bride price (*ilobolo*) by arranging that the woman is *thwalwa'd*. Those who have carried away (*thwala'd*) the young woman would send a message on the following day to the young woman's parents to tell them to search from this side for their missing daughter (*funela nganeno*), which means search from this side. This is a cultural way of reporting to the young woman's parents about the whereabouts of their daughter. Then, the family who had carried away (*thwala'd*) the young woman would immediately pay the bride price (*ilobolo*) to her parents. This was done immediately so that the young woman's parents would be able to return the bride price (*ilobolo*) that was paid by the first lover back to his family (Nyembezi and Nxumalo 1995:115). The young man's family who had carried away (*thwala'd*) the woman, takes care of her. No sexual intercourse happened between the young man and woman until the marriage negotiations were finalised and the two were officially married. In this way, the practice of the custom of bride abduction (*ukuthwala*) was not regarded as a criminal offence because the young woman was not harmed in any way and often she would have colluded with the young man in that situation.

Other authors such as Doke et al. (1990) sometimes refer to the practice of carrying away the young woman (*ukuthwala*) as bride abduction. According to the *Oxford Advanced Learners Dictionary of Current English: New International Students' Edition* (1995: 2), abduction means 'to take away illegally using force or deception. Based on this definition of abduction, Seleokane (2005) argues against referral of the practice of carrying away the young woman (*ukuthwala*) as abduction, which he explains as illegal from start to end. Seleokane argues that the practice of carrying away the young woman (*ukuthwala*) is a custom and a custom is legal as compared to bride abduction, which he claims it

is not legal. Currently, the custom of carrying away the young woman (*ukuthwala*) is still practised in South Africa in some of the KwaZulu-Natal rural areas such as Zwelibomvu, Bergville, and KwaNgcolosi and more so in their surrounding rural areas. These include EMaPhephethweni, and at KwaNyuswa (EMaQadini). In these areas, the practice of carrying away the young woman (*ukuthwala*) is a normal customary practice as is the case at Olundi (EMahlabathini) in the district of Okhukho (EMaChunwini) and in the district of EZiKhumbeni (EBaThenjini). While some earlier studies on bride abduction in KwaZulu-Natal had been conducted, documentation on the practice of carrying away the young woman (*ukuthwala*) are nothing more than conjectures and the researchers' research presents comprehensive and extended arguments from a gendered analysis perspective of the practice as it exists today (post- 1994) in rural areas of KwaZulu-Natal.

In contemporary Zulu societies, some males forcibly marry unwilling women and abuse them under the name of *ukuthwala*. In such cases, witchcraft is also practiced (Msimang 1991) and gender-based violence (Thulo 2003) becomes part of the process of carrying the target woman away. Msimang (1991) partially addresses some aspects of traditional *ukuthwala* in contemporary Zulu communities. In his book titled *Kusadliwa ngoludala*, Msimang (1991) reports his study which examined traditional Zulu culture and traditions. Discussing courtship and betrothal among the Zulu, Msimang (1991) reports about alternative ways embarked upon by *izishimane* (a derogatory term used to refer to young men who do not have skills in courtship and therefore end up not having love relationships with women) and he argues *ukuthwala* is one. He found that *izishimane* employ different forms of *ubuthakathi* (witchcraft) on target women. Thulo (2003) states that "The abuse of ancient traditions has resulted in young women being kidnapped and raped in the Bergville district." Thulo (2003) confirms Molapo's assertion and states that, a target woman is beaten severely with sticks and sometimes with sjamboks, her arms twisted, and even her body is dragged on the rough paths and her clothes torn apart.

While Msimang (1991) admits that *ukuthwala* is a well - known patriarchal weapon or tool that is employed by some men (*izishimane*) to suppress women's interests, he nevertheless agrees

that there is no unanimity regarding the exact meaning of *ukuthwala* practice as far as different societies are concerned in contemporary Zulu culture. He states that sometimes *ukuthwala* takes place when a young woman has jilted her sweetheart. A jilted lover then decides to *thwala* a young woman with an intention to marry her. He claims in this case a woman is beaten and forcibly *thwalwa'd* (ibid 1991). Furthermore, Msimang claims her brothers may come to rescue her and this may result to a faction fight. He then concludes that if the men who *thwala'd* the women are victorious, a young woman would be married off (Msimang 1991:228).

Goal of the Study

The study aimed at establishing the nature and causes of bride abduction cases among the Zulu speaking people living in selected rural areas of KwaZulu – Natal in South Africa by answering the question: What is the nature and causes of bride abduction cases among the Zulu speaking people living in selected rural areas of KwaZulu – Natal in South Africa?

RESEARCH METHODOLOGY

Research Design

This study adopted a qualitative case study design and sought an understanding of the views of thirty purposefully selected Zulu speaking research participants from purposefully selected three rural areas of KwaZulu – Natal in South Africa. “Case studies aim to describe ‘what it is like’ to be in any particular situation” (Christiansen et al. 2010: 37). This approach used written, spoken and observed data or behaviour. The researchers aim to capture the reality of the participants’ lived experiences of and thoughts about, a particular situation (Cohen 2000: 182). The qualitative approach tells a story from the participants’ point of view (Rossman and Rallis 1998), thus providing the rich descriptive information necessary to demystify taboos and to break silences about issues pertaining to sex and sexuality that are under discussion in relation to *ukuthwala*. Qualitative research methods are generally used for identification, description and explanation (Paton 1990), an approach relevant for this research. This study draws on the characteristics of this design as well as from research-

ers’ background knowledge and experience in rural life and in particular from one researcher’s knowledge as the daughter of the soil in one of the research sites of this project. According to Edgerton (1974:3), the best tool for studying ‘alien’ culture and coming to understand it, is the intellect, sensitivity, and emotion of another human being and the fact that culture must be seen through the eyes of those who live in it.

Data Collection Tools

Multiple methods of data collection were used in this study which included life history methodology, in- depth interview techniques, systematic observations, field notes, single sex focus group discussions and a local census to check the frequency of bride abductions. All interviews and narratives used in this article were tape – recorded and then transcribed. Four interviews were conducted with each research participant. With all, the first interview was the longest (average two hours), the three subsequent ones each lasting an average of one hour. In the first interviews the researchers’ aim was to establish a good rapport with the research participants. The researchers discussed the aim of the research and major themes. The second interview encouraged participants to tell the researchers the story of their lives from childhood to their teenage years and adulthood. The third interview was in – depth to probe further data on the major themes of the study. These were linked to participants’ life experiences as elicited during the second interview. The fourth interviews were used particularly for validation of data collected whereby clarifications were sought where there was a need in relation to data collected during the previous interview sessions. The importance and richness of in – depth interview method is summed up by Seidman (1998: 3):

At the root of in-depth interviewing is an interest in understanding the experience of other people and the meaning they make of that experience.

Research Participants

The researchers targeted men and women (abductors and those who witnessed abductions, abducted women and women who escaped abductions, local chiefs, headmen, head girls, and ordinary people) in the areas in which the study

was carried out. Participation in the study was voluntary hence there was no specific number of each category. The initial sample for this study was in total of 30 research participants (10 from each research site comprising of 5 men and 5 women) meaning gender balance was ensured). But because of non - availability due to other commitments, it was not possible to meet the number also due to time constraints and the inaccessibility of men who serve as migrant labourers and were not available during the times of the interviews. However, eighteen (18) women and twelve (12) men have been included in the sample for analysis. The participants represented a wide range of ages with the youngest being 18 years old and the oldest 75. The participants were Zulu speaking from the deep rural areas of the province of KwaZulu – Natal in South Africa. The majority (14) of the research participants were completely illiterate (in the Western norm). Some participants represented different academic levels ranging from Grade 2 (lower primary school level) = 1, South African Junior Certificate = 1 and Ordinary Level qualification = 1 and the old Standard two qualifications = 1. Some participants indicated that they had never been to formal school but were able to read and write after attending adult literacy classes in the early years of the country's independence = 2. None of the participants had diploma or degree qualifications.

Pilot Focus Group Discussions

An initial focus group discussion was conducted with educators at X Secondary School before the main study was conducted. The aim of conducting the pilot focus group discussion was to explore, and identify possible research sites, and gain more insight into the practice of *ukuthwala*. This also helped in conceptualisation of the questions to be used in the in - depth interviews and subsequent Focus Group Discussions.

Ethical Issues

This study went through the University's Ethics Committee for approval before it was carried out. Children under the age of eighteen were not part of this study. A written consent and a verbal consent were sought from the participants after the purpose of the study was explained to them. Participants were also advised they were allowed

not to answer questions they felt uncomfortable in answering and that they could withdraw their participation from the study at any time. Participants were assured of confidentiality and anonymity hence the use of pseudonyms.

Data Analysis

Data collection and first stages of analysis occurred simultaneously in line with views by Bogdan and Biklen (1998) that it is the nature of qualitative studies that the two processes normally occur simultaneously. Audio-taped interviews were transcribed after the interview process and appropriate coding was done (Willig 2001). Coding entailed grouping common issues on the nature and causes of bride abduction from the different interviews. Data analysis was mainly based on content analysis as emerging themes from interviews guided the analysis.

Researcher Neutrality

One common criticism levelled against qualitative studies is researcher bias. As the researcher is fully involved in the data collection process there is bound to be researcher bias in the interpretation of results if mechanisms are not put in place to control this (Munikwa et. al 2012). In ensuring researcher neutrality, the researchers' interpretations were wholly drawn from the accounts provided by participants. This was further assisted by the use of verbatim quotations from the participants. Multiple methods of data collection also ensured that researchers cross checked interview transcriptions with participants meaning data was validated. This was done to ensure that the transcriptions represented participants' views.

Trustworthiness

Mishler (1991) describes validity in qualitative research as "Trustworthiness: grounds for belief and action". This is affirmed by Scheurich (1997: 82) who argues that validation is the process through which researchers make claims for and evaluate the trustworthiness of reported observations, interpretations and generalisations. The multi-method approach adopted in the study is a means of triangulation. According to Denzin (1970) triangulation is a method of cross-checking and confirming the information elicited from

qualitative data sources. He proposed the multiple methods of data collection as part of the methodology. The adopted multiple methods yielded rich data and provided opportunities for more in-depth analyses, which is a major benefit of research design in this study. Data interpretation was based on valid data that the researchers collected. Researchers make certain claims based on the data which they collected during their study (Christiansen et al. 2010 : 111). In-depth interviews were conducted over a period of 4 interviews per participant thus offering them opportunities to confirm correct or refute earlier submissions, meaning data was triangulated. Transcribed and analysed data were also shared with participants in the various communities, before the final compilation to enhance authenticity and quality.

RESULTS

The Nature of Bride Abduction Cases

The following are the participant's views on the nature of *ukuthwala* and attempted *ukuthwala* cases. In finding out the nature of *ukuthwala* and attempted *ukuthwala* cases in some rural areas of KwaZulu – Natal in South Africa there were two main themes that the researchers could ascertain from the data collected. These were traditional *ukuthwala* which I termed positive *ukuthwala* and contemporary *ukuthwala* which is bride abduction and which I termed negative *ukuthwala*. In the following sections the researchers discuss the two themes.

Traditional (Positive) Ukuthwala

Research findings reveal that in the traditional (positive) *ukuthwala* it is usually an engaged woman who is *thwalwa'd*. This happens when the woman is faced with a dilemma of having met a man she loves more than the one she is already engaged with. In Zulu culture *intombi iqomakanye* (a woman is supposed to get engaged once). Although, it is not totally prohibited for young women to end relationships with their lovers and get engaged to other men, this is discouraged. Unless there is a compelling reason such as when the young woman is engaged for a long time and the man does not start paying *ilobolo* (bride wealth) in preparation for marriage, the young woman may be encouraged by

her peers that she ends the relationship with that man who is wasting her time. Without such a reason, young women who just end relationships simple because they have seen another man they love more are viewed as weak in that they cannot think carefully before they make a decision. Research participants indicated that "*intombi iyakhishwa esokeni*" (a woman can be separated from her lover by his competitor). In addition, the researchers were frequently told by research participants that "*intombi iyathwalwa ngisho isiganile. Inqobo nje uma ingakasini esigcawini noma ingakagcagci*" (a woman is *thwalwa'd* even if she is engaged as long as she has not been officially declared married). Gugu from Bergville indicated that in most cases a woman who is *thwalwa'd* is the one who is already having her lover. This is what she says:

Gugu

Ukuthwala is linked to the Zulu saying: '*oseyidlile udlicala*', which is interpreted as 'it's not your wife until marriage is consummated'. In most cases a woman who is *thwalwa'd* is the one who is already having her sweetheart. However, her other wooer is not satisfied that he has been beaten in the game of courtship by his competitor. Since in Zulu culture a woman gets engaged once ('*intombi iqoma kanye*'), then the competitor is only left with one option that of *ukuthwala*. In Zulu culture, '*intombi iqoma kanye*' (a woman gets engaged once) then the only option that the wooer is left with is to *thwala* the woman. The only option he is left with is to *thwala* the woman.

Gyekye (1987) argues that "philosophical concepts, ideas and propositions can be found embedded in African proverbs, linguistic expressions, customs and traditions of the people". Based on the above saying "*oseyishayile akakayosi*" We argue that the above case indicates Zulus philosophical thought which justifies the practice of *ukuthwala*. As Buthelezi (2006) argues that among the Zulus love relationships between young people are not expected to last forever, they can be terminated at any time even after *ilobolo* has been paid, *ukuthwala* is one way of allowing a woman to change her mind about the choice of a man without harming her own dignity—where she would be viewed as a weak woman. Furthermore, there is connivance between a *thwalwa'd* woman and her prospec-

tive husband. The arrangement is done in such a way that it is also not obvious that the woman has agreed to the situation. There is no woman abuse and there is no physical assault or beatings of a woman. The custom of *ukuthwala* is arranged with the woman concerned as Zodwa from Bergville also says:

Zodwa

So many people take *ukuthwala* literally whereas it is not the case. It is arranged with the woman who will be *thwalwa'd* who then avails herself. The question we need to ask ourselves is: do men who *thwala* women enter the woman's house and take her out of her home, the answer is no, men find a woman somewhere.

The following case encountered at Bergville, in the district of Emangwaneni indicates that a woman is found somewhere in an arranged place. The researchers align this case with the positive *ukuthwala* done by powerful men where Manyokazane gives an account of her *ukuthwalwa*. This is what she says:

Manyokazane

Saxoxisana, savumelana ukuthi angithwale, ngazihambela ngazifikela la kanye nababezongithwala. Angizange ngishaywe. Ngeqa ekhaya... (We discussed and agreed he must thwala me. I was not abducted. I walked voluntarily and got to a place where I would meet the people who would thwala me. There were no beatings. I eloped from home). On my arrival, I was made to wear isidwaba (black leather skirt). Incision was performed on my body. I was given herbal medicines to drink and to sniff. Impepho (incest) and izinyamazane (Zulu mixture of portions of animal medicines) were burnt and I was made to inhale them. By so doing, I was reported to my in-laws' ancestors. I then entered into womanhood, till today.

Giving an account of her marriage life through *ukuthwala*, Manyokazane states that she is happy in her marriage especially because she managed to get children for her husband which otherwise would have been a problem if she was not able to do so. She states that if she was unable to bear children her husband would have found another woman who would be able to give him children. She says that she is happy that she is still a woman even today and her husband has never left her

for another woman. She also states she has to provide for her husband and a child as her husband is unemployed. She says this is her acknowledgement that he made her his wife as other women of her age at that time wanted to get engaged, but could not as men were not interested in them.

From the above case it is clear that Manyokazane is happy and has no regret that she was *thwalwa'd*. In fact Manyoka is proud to be *thwalwa'd*. Learning from the above cases and with reference to Maphalala's (2005 cited in Seleoane 2005:1) comments on *ukuthwala*, where he asserts that in the process of *ukuthwala* a woman must not cry for if she does, it would mean she has not agreed. Manyoka did not cry which signifies that she had agreed. A cry would result to tribal wars whereby young men of the district from where the woman is taken will come out armed and in defence not of a woman alone but also in defence of their own dignity since men are expected to protect women of their *isigodi* (district).

Traditional (positive) *ukuthwala* is genuine and is done according to cultural rules. Its intentions are honest and have some aspects of the original practice of *ukuthwala* as discussed earlier in this article. The process follows socially established procedures, and the rules are adhered to (for instance, the report is sent immediately to the woman's family that she has been taken, she is not hurt and there is no sexual intercourse, penalty is paid and *ilobolo* follows immediately). This indicates that this is a mere power display by men who compete for a woman they both love. It is also a way of allowing a woman to change her mind regarding her choice of a lover but without the woman losing her dignity. Women who change men are termed lose women and thus to protect this dignity, the woman is *thwalwa'd* by the new lover to give an impression that the woman was helpless in this situation.

Power Display by Men

Traditional (positive) *ukuthwala* is done by powerful men from powerful families. These men are powerful in terms of having enough resources and enough money thus they afford to pay *ilobolo* immediately. They are therefore accorded the status of 'real men' in the communities they live in. For once a woman is *thwalwa'd*, there is immediate follow up through *abakhongi* (marriage

negotiators) to the thwalwa'd woman's family with a penalty whereby the negotiators would shout *funelani nganeno!* (Search from this side) and thus *ilobolo* negotiations become open and immediately the payment of *ilobolo* follows. This is evidenced by the following account by Mr. Ngcongco who *thwala'd* his wife. This is what Ngcongco says:

Ngcongco

I had courted this woman for eight years. I had loved her since her childhood. I was faced with a high number of competitors who also wanted this woman. I realised that the woman loves me but is confused because of so many wooers she is faced with and her mother did not like me. I then planned to thwala her. I connived with her friend to take her out of home to the local shop so I can get a chance to thwala her. I was accompanied by other men who were my friends. We managed to escape with her despite her outcries. On arrival at home, everything was prepared. She was made to sniff burnt Zulu medicine (izinyamazane) and incision was performed on her body and love charms were given to her in order to love me and not runaway. I made her to wear isidwaba (leather skirt). We slept in the same room, but on that night I did not sleep with her (i.e. have sexual intercourse). I respected her virginity until it was the right time for us to have sexual intercourse. The following day, I sent unkhongi to her home and paid penalty of one cow. Thus marriage negotiation process was opened. Ilobolo process continued and she is now betrothed (uganile). Asikagcagci (traditional wedding has not yet occurred).

This power display is not meant to punish the woman but it is just a mere display of power by men directed at other men. That is why the man who would *thwala* a woman connives with a woman first, through the woman's friends or relatives, to seek for her approval. In Ngcongco's case, it was not only a matter of competition between him and other men, but also the problem of the woman's mother who did not like him. The mother could have become a barrier in the opening of the negotiations and therefore *ukuthwala* custom dealt with that barrier. When a young woman has been *thwalwa'd* all what is required is for her to confirm to her parents that she loves the man who has *thwala'd* her, thereafter *ilobolo* negotiations proceed. In this way, *ukuthwala*

custom removes any other barrier that might have prevented negotiations to commence.

However as indicated in Ngcongco's case above, when the woman is *thwalwa'd* she should perform cries to pretend as if this is done against her will. Most women who were *thwalwa'd* in this way were found to be happily married and proud of the fact that they were *thwalwa'd*. To most of the women, *ukuthwala* is an honour to them (see, Manyoka's case above). The woman is overtaken by the new love, and therefore agrees to be *thwalwa'd*. In some cases everything is planned accordingly and a woman has agreed. Reasons could be the new lover *sees inkawu idlala ngesikhwebu* (the literal meaning is that the monkey plays with a corn. The actual meaning is that his competitor is not the right man for the woman). This statement was frequently encountered in the field as highlighted by Nokwazi from Zwelibomvu who states that:

Nokwazi

Ukuthwala is from the saying 'isikhwebu sidlala inkawu' (the monkey is playing with the corn). This phrase implies that the couple does not match, the woman being too good for the man and thus he does not deserve her, but the new lover is a good match for the woman. In most cases the man knows who the 'monkey' that is playing with the corn is. Therefore decides to thwala the woman.

As an indication of good intentions by a man who *thwala's* a woman, rules pertaining to the custom of *ukuthwala* are obeyed; for example, a penalty which could be in the form of cattle or usually a certain amount of money is paid and also *ilobolo* follows immediately which could also be in the form of cash or the cattle. There is no engagement in sexual intercourse between a *thwalwa'd* woman and her prospective husband until all wedding processes are completed, that is, after payment of *ilobolo*, and after all procedures have been followed. This may take a long time though, but the new lover has nothing to worry about and has no rush as the woman already belongs to him. He is also assured by the fact that he has already made a *thwalwa'd* woman to wear *isidwaba* (a black leather skirt made of a cow's skin.) and a woman has already been reported to the new lover's ancestors through the burning of *impepho* (incest) and through the burning of *izinyamazane* (Zulu medicine) to in-

roduce her to the family members of her new home as indicated in the cases by *Manyokazane* and *Ngconggo*.

Most participants referred to this traditional (positive) *ukuthwala* as the only form of *ukuthwala* and they said, “*ukuthwala kunye nje vo*” (there is only one form of *ukuthwala*). From the above cases, I therefore deduce that *ukuthwala* that research participants refer to is that which has some aspects of the original practice of *ukuthwala* in traditional Zulu communities. This statement was frequently encountered during field work in all selected communities. Research participants insisted that anything that does not follow these established social rules and procedures should not be referred to as *ukuthwala* because it is not *ukuthwala* but *ubugebengu* (criminality). In this article the researchers refer to this form of *ukuthwala* (that is, in participants’ views, *ubugebengu*) as the contemporary negative *ukuthwala* or bride abduction, which the researchers discuss later in this article.

The findings also reveal that when a case of traditional (positive) *ukuthwala* is reported to the police, the law cannot prosecute because the woman colludes to the process. For instance, after *Vamisile* was *thwalwa’d*, *Khanyile* sent *abakhongi* (negotiators) to *Vamisile’s* home to pay *ilobolo* so that *Vamisile’s* parents could reimburse *Ntombela*—*Vamisile’s* first original boyfriend. *Abakhongi* got arrested by police because *Vamisile’s* mother had reported the matter to the local police. However, later *abakhongi* were released because they were not found guilty.

Contemporary (Negative) Ukuthwala or Bride Abduction

This study reveals that in contemporary Zulu culture, *ukuthwala* is done by emasculated powerless men. This form is what the researchers term the contemporary negative *ukuthwala* or bride abduction, which is the abuse of *ukuthwala* custom. In this case power display by powerless men is directed to vulnerable females even if the females have not yet reached their marriageable stage. In this situation women are the victims of *ukuthwala*. There is no agreement between the man and the *thwalwa’d* woman. Sometimes power is directed to another male competitor who is viewed as powerful and serves as a threat to the man who *thwala’s* a woman because the competitor has resources and money to pay *ilobolo*.

Then the man who feels threatened plans to *thwala* the woman to display his physical strength. This assertion of physical power is directed to the woman who is overpowered through the abuse of *ukuthwala*. Such men use witchcraft to control women. The man would go to the witchdoctor to get *umuthi* (medicinal substance) to bewitch the woman. In addition, men who *thwala* the woman beat her up severely during the process of *ukuthwala* to prove their power and to punish her for her choice of the other male competitor. They lock her up indoors, having sexual intercourse with her against her will (which the researchers could term rape) with an aim of breaking her virginity to leave her with no option except to surrender to the man who *thwala’d* her. Men watch on her so that she may not escape. They force her to take herbal medicines in an attempt to kindle in her love for the man who *thwala’d* her.

Young (1990), states that the powerless people are those who lack either authority or power. According to Young (1990:56-57), powerless status is best described negatively: the powerless lack the authority, status, and sense of self. In other words they lack recognition, authority over others, and respect. According to Young, the powerless have to prove their respectability due to exposure to disrespectful treatment because of the status one occupies. Young concludes by saying that these injustices have distributional consequences and we I argue in this article that the abuse of *ukuthwala* is one consequence of powerlessness among some of the Zulu men in selected rural areas of KwaZulu-Natal. Applying Young’s (1990) theory of powerlessness to Zulu men in contemporary society, some powerless Zulu men who lack status, recognition and charm to attract the love and attention of women, resort to the abuse of *ukuthwala* custom to assert their power. Even as they *thwala* a woman using physical strength to overpower her, they still feel powerless in themselves. Hence, in attempting to empower themselves such men first consult with the witchdoctor to get medicine that will assist them to overpower the woman. The following case of *Ngconggo* is an example of the contemporary (negative) *ukuthwala* which takes place in contemporary Zulu communities:

Ngconggo

“...I then planned to *thwala* her. I connived with her friend to take her out of home to the

local shop so I can get a chance to thwala her. I was accompanied by other men who were my friends. We managed to escape with her despite her outcries. On arrival at home, everything was prepared. She was made to sniff burnt Zulu medicine (izinyamazane) and incision was performed on her body and love charms were given to her in order to love me and not runaway. I made her wear a black leather skirt (isidwaba) despite her refusal”.

In the above case, nowhere is it indicated that the girl's consent was sought. The woman was even forced to wear a black leather skirt (*isidwaba*) against her will. This is therefore not traditional bride abduction (*ukuthwala*) but criminality (*ubugebengu*) and a form of GBV which violates women's rights and body integrity, and was condemned by both men and women research participants likewise as it is condemned by the South African Constitution (1996). Such criminal acts are subjected to conviction by law. However, in contrary, the South African law fails to deal with criminality in the name of *ukuthwala* arguing that there is no evidence to lay charges against the suspects. In *Ngcongco's* case it was not only a matter of competition between him and other men, but there was also the problem of the woman's mother who did not like him. There is no evidence that the woman loved *Ngcongco*, he just assumed that she did. This is an example of patriarchal power imposed on a woman. The man thinks and concludes for the woman that she loves him; he does not take her refusal seriously. Contrary to the participants in the previous discussion who connived with their lovers, this man connived with a friend of the woman, which means that this woman was caught unaware. It was therefore not *ukumuthwala* (to carry her away) but *ukumtshontsha* (to steal her).

Xoli's Case:

“On the way to school from home, three men came out from the car and grabbed me by the school uniform... I got shocked and lost control.... I was crying. They twisted both my arms and started beating me with sticks. They tied my mouth with a huge cloth...They took me to my abductor's home in the neighbouring village. On arrival, I was handed over to an elderly couple who were to be my parents – in – law. My father – in – law warned me severely against trying to run away, threatening to punish me severely if I

do. “I was kept in the bedroom and an old woman gave me isidwaba (a black leather skirt worn by married women). They forced me to drink muthi (traditional medicine) and also to sniff burnt izinyamazane (animal portions mixed with muthi) and they also performed incision on my body. In the evening my abductor forced to have sexual intercourse with me, threatening that if I cry he will beat me... For a number of days I was locked in a hut during the day, and released in the evenings. I was watched closely through day and night ...My mother is all by herself, old, and reports to my grandfather who is also very old. She said when she reported the matter to the elders; they said she must leave the child alone because she is betrothed (iganile). My family never came to visit me and I was not allowed to visit them for a very long time...”

This form of *ukuthwala* from *Ngcongco's* case has negative implications for a woman. *Ngcongco's* case reveals that the contemporary (negative) *ukuthwala* is aligned to contemporary Zulu culture and is practised by some people who have developed it to deal with their own social circumstances. It abuses women and is the fake form of *ukuthwala* custom. The way it is practised is not different from bride abductions that I discussed earlier on in this article. The contemporary (negative) *ukuthwala* is characterised by criminal activities such as violence against women, witchcraft and sexual assault. Power is more directed at the female rather than the male competitor. The social rules of *ukuthwala* are not adhered to, for example, penalty and *ilobolo* are not paid immediately, and the man who *thwala's* a woman also has forced sexual intercourse with the woman, and has no respect for the virginity and dignity of a woman. As shown in *Xoli's* case, the woman is subjected to humiliating situations. For instance, *Xoli* was forced by men to completely take off her clothes and the prospective husband had sex with her in front of other men. *Xoli* was also forced to drink *muthi*. This was humiliating for her and is also aligned to witchcraft where filthy and inhumane activities occur. This is against established social rules of the Zulus where the virginity of a woman is highly respected and as a result it is regarded as a greatly punishable offence to have penetrative sex with a young woman. In this study the researchers did not come across a case of contemporary negative *ukuthwala* that was reported to the police. Therefore, the researchers could not determine

how the law would deal with this form of *ukuthwala*.

Emasculated Men and *Ukuthwala* Practice

The study reveals that emasculated men assert power on women through the abuse of *ukuthwala*. Most research participants revealed that it is unlikely that an emasculated man who lacks resources especially financial resources would be accepted by women. This is apparent in *Xoli's* case where her husband who *thwala'd* her could not afford even to pay *ilobolo* for her. He cannot compete in courtship with powerful men who have resources to pay *ilobolo*. Most men are emasculated by poverty and unemployment in contemporary society of KwaZulu-Natal. Consequently, men are deprived of their male role or identity. Powerless men resort to the abuse of the custom of *ukuthwala* by asserting power to vulnerable women as in *Xoli's* case above. Since men who practise this form of *ukuthwala* are powerless, they carefully choose their victim. Women who come from vulnerable families become the victims. For example, in *Xoli's* case, she did not have a father or brothers to protect her. The males in her life (the grandfathers) were old and weak and thus unable to protect her and to file a case against the 'abusers'. However, not only men without resources feel powerless. Sometimes men who can afford to pay *ilobolo* practice the contemporary (negative) *ukuthwala*.

Appropriation, Punishment and Women's Oppression

Sometimes when a man proposes love to a woman who does not love him, the man then *thwala's* the woman to punish her and show her he cannot be rejected. This is women appropriation as it happens against their will for men's own benefit. Men do this to show women and society that men are in control and dominant. The motive is to render women subjective to men; if women refuse to submit; therefore they need to be appropriated. Sometimes such men *thwala* a woman even when they have no intention to pay *ilobolo* for her and marry her as *Sabelo* states below:

Sabelo

It happens that a man thwala's a woman just to abuse her. He is not even prepared to pay

ilobolo for her. He sleeps with her and then abandons her afterwards without paying her parents ilobolo. If a man thwala's a woman then pay ilobolo for her, that man is honest. It happens that after ukuthwala, the woman develops love for her man who thwala'd her, only to find that the man was just using her and had no intentions of marrying her. Then a woman becomes a laughing stock in her community when she returns home after she was thwalwa'd.

As highlighted earlier, in some cases powerless men who engage in contemporary (negative) *ukuthwala* bewitch their targeted victims. They engage in *ubuthakathi* (witchcraft) through the use of herbs to blind and confuse women to accept things they would not accept in their normal senses as in the following case by *Dleni* of *Zwelibomvu*.

Dleni

I remember because I was going to another house of Gumedede. I was sent to buy beers of which I did not get. I then proceeded to another shop called Toni. On my way, I met a group of men (about 3 of them), they hit my hand and all the money split over the ground. I started crying: Hi! Hi! Hi! It was during the day. I can't remember the year when this happened. I was sixteen (16) years old when I got thwalwa'd (repeated statement four times). I cried hysterically. They put a towel into my mouth. They told me no one will hear my cries. They took me and said "bayongiganisa" (I am going to be betrothed) because when my prospective husband is going out for courtship, clouds gather and the storm breaks. He was therefore believed to be bewitched by his competitors in courtship, so she said. Just take a close look at the competition that was taking place because of me, the other one taking bat vs. the other. At that time both my parents were still alive. On arrival at my prospective husband's home, they made me to drink different kinds of herbal medicines by force. They also performed incision on my body. After, a while I then developed love for my husband. I frequently felt like hugging him because of love that had developed in me for him. The following day when my father came to fetch me, I told him that he must leave me alone as I was betrothed with someone I love. He had to go back home and wait for ilobolo...

In *Dleni's* case, it is apparent that her husband *thwala'd* her because of the many competi-

tors he was faced with. However, he did this because he felt he was unlikely to win in the competition as Dleni did not love him. In other words, he was scared that his competitors were more powerful than him. He used *ukuthwala* to take Dleni away and used *umuthi* (medicine) to make Dleni to develop love for him. In this case, Dleni was *thwalwa'd* against her will although later she developed love for her husband because of *umuthi* that was used. However, that love vanished after some time because it was not genuine love. Wadesango et al. (2011: 121) state that "harmful traditional practices emanate from the deeply entrenched discriminatory views and beliefs about the role and position of women in society". In patriarchal Zulu communities girls are brought up being aware that they will have to get married at the later stages of their lives. Some families in contemporary society view girls as a source of wealth for their families and the training they girls get at home is supposed to prepare them for marriage. The above evidence also shows that *ukuthwala* is done for various reasons. For example, in the case of Dleni's son, his *thwala'd* his wife for him because he has some disability and presumably could not attract the love of women himself. On the other hand, his *thwalwa'd* wife also has a disability and therefore was the ideal victim for the practise.

Analysis

It was clear from the above narratives on the nature of *ukuthwala* that the abuse of the custom of *ukuthwala* (bride abduction) was the common way in which *ukuthwala* was practiced although there are still certain people who engage in traditional practice of *ukuthwala* as a Zulu custom.

Causes of Bride Abduction

In an attempt to establish the causes of *ukuthwala* from the participants' point of view, the following major causes emerged as common theses; the rationale behind the practice of *ukuthwala* is to open up the marriage negotiation process in situations where it might be difficult to open these. This process will never be opened unless a *thwalwa'd* woman confirms to her family that she loves the man who has *thwala'd* her. If she does not confirm, no further negotiations are engaged with and the man who *thwala'd* the woman pays a penalty for *ukuthwala* called *inkomo yokuthwala* and the woman returns

to her home having not been touched and her virginity still being intact. A woman's consent is key to all negotiations to follow.

The findings show that there are various reasons behind the traditional (positive) *ukuthwala* custom. However, although reasons behind *ukuthwala* slightly vary, all men who *thwala* women in the traditional (positive) *ukuthwala* are driven by the love of that particular woman and in the context where there are other men who love the same woman. This creates a situation where many men compete for the same woman. The man who would then *thwala* the woman fast-tracks the *ilobolo* and other processes that lead to marriage and thus he becomes the winner in the competition. In this way the man who *thwala's* a woman must be more powerful in terms of having more resources and status in the community because all expenses including penalties for *ukuthwala*, should be paid in full within a short time and the woman gets married. The following are some of the participants' views regarding the reasons for *ukuthwala* as it takes place in the selected rural communities of KwaZulu-Natal.

FGDs

Ukuthwala happens when a man loves a woman. They may just engage in ukuthwala without even having started by courtship. Sometimes, it happens when a man was still engaged in courtship, and the woman has not accepted him, or has not spoken to him to indicate whether she loves him or not, suddenly the man decides to thwala her.

Gugu

Ukuthwala is from the Zulu saying: 'oseyidlile udlicala' (this means it does not matter that it is your lover, as long as she is not yet your wife, other men may take her). In most cases a woman who is thwalwa'd is the one who is already having her sweetheart. However, her other wooer is not satisfied that he has been beaten in the game of courtship by his competitor. In Zulu culture, 'intombi iqoma kanye' (a girl gets engaged once). The only option he is left with is to thwala the woman.

Nokwazi

From a saying 'isikhwebu sidlala inkawu' (the monkey plays with the corn). This implies that

the couple does not match, the woman is too good for her current lover and thus he does not deserve her, but the other man suitor is the right match for the woman and thus deserves the woman. In most cases the man will thwala the woman knows who is the 'monkey man' who is playing with the corn and undermines him. Therefore he decides to thwala the woman.

Sipho

Sometimes the man is fearful of his competitor. It could happen that he views his competitor as above himself in one way or the other; therefore he sees himself left with no option than to thwala the woman before the competitor wins the woman's love.

Apparently, the evidence presented above also indicates that traditional (positive) *ukuthwala* is sometimes used to match the right couple in cases where the woman's lover is seen as not the right match for the woman. Traditional (positive) *ukuthwala* also opens up and fast tracks marriage negotiations. Apart from being the tool to open up marriage negotiation process, *ukuthwala* has connections to ideas around sexuality, masculinity, gender, power, and cultural identity which renders the practice a social and cultural construction. Culturally, men should have dignity and status in the community. They attain this status through the way they conduct themselves. For example, they must be *amagcokama* (people who are clean and healthy), *amagagu* (people artistic in music, dance and talks), *amaqhawe* (people who are not cowards) and must also have resources or at least come from families who have resources to show they are not lazy (Msimang 1975). Through their artistic ways of talking to women they are able to attract the love and attention of women. Similarly, women who attract the love and attention of many young men are those with status, wisdom, and good characters. They also have to come from families with social standing in the community because such families are respected by the way they bring up their children (Msimang 1991). Msimang (1991: 225) contends that if a man has resources and wealth or his father is a wealthy man, or has a position and is respected in his community, he is most likely to attract many women during courtship as it is sometimes believed that women like to marry to wealthy families. Such an account was frequently encountered in the field from all

research sites. Therefore, in the traditional (positive) *ukuthwala*, the identity of a young man who *thwala's* a woman is important. The woman agrees to be *thwalwa'd* because she herself would prefer to be married to the young man with social standing in the community. At the same time the young woman who is *thwalwa'd* attracts the love and attention of many young men because of her status and qualities.

On the other hand men who lack the social standing or status resort to engage in the contemporary (negative) *ukuthwala* to assert their power by abusing the women they *thwala*. For example, Lucky Mazibuko of Bergville (aged 35) asserts that those who engage in *ukuthwala* and witchcraft are *izigwadi / izishimane* (men who are rejected by women). Lucky states he himself engaged in a number of *ukuthwala* incidents in Bergville to assist *izishimane* to get engaged. Lucky's view concurs with Msimang (1991: 227 - 228) that those who *thwala* women are called *izishimane*. According to Msimang (1975) *izishimane / izigwadi* are powerless men who lack *ugazi* (charm to attract women). He contends that some of the *izishimane* engage in "*ukuphonsa*" (witchcraft) and *ukuthwala intombi uma seyalile* (to carry away a woman once she has jilted her lover) (Msimang 1991: 228). The powerless men lack authority, status, and sense of self (Young 1990). The researchers therefore argue that the privileges and recognition enjoyed by the powerful man serves as oppression for *izigwadi / izishimane* who therefore resort to the contemporary (negative) *ukuthwala* because he cannot face this competition. In other words, the man cannot face other male competitors and then turn to the woman who becomes his victim of abuse.

DISCUSSION

It emerged from the study that the practice of *ukuthwala* and attempts at *ukuthwala* took a number of forms with traditional (positive) *ukuthwala* and contemporary (negative) or bride abduction being most prevalent forms. This is in contrary to Becker (1998) who observes one form of marriage by abduction in South Africa, when he says, "Sometimes a more romantic procedure called *ukuthwala* is resorted to, when there is some obstacle to a marriage, imposed by the girl's guardian" (Becker 1998, cited by Wadesango et al. 2011: 123). Such a contrast emanates from Becker's confusion of *ukuthwala* as a form of

marriage. *Ukuthwala* is a performative act of opening up a marriage negotiation process and is not a marriage per se.

Research findings indicate that *ukuthwala kunye nje VO* (there is only one form of *ukuthwala*) and that is traditional *ukuthwala*. The traditional (positive) *ukuthwala* is done with a willing woman whereas the contemporary (negative) *ukuthwala* is a “claimed culture” or abuse of *ukuthwala* (bride abduction) which uses criminality in the name of culture. Such findings are contrary with findings in a similar study by Molapo (2004) who adopted a Christian analytical perspective to *ukuthwala* practice among the Basotho of Lesotho. Molapo found that *ukuthwala* were mostly as a result of bride abduction. He failed to acknowledge that there are African people who did not accept Christianity who are popularly known as pagans (*amabhinca*) and practice traditional African culture of which *ukuthwala* is one. Although this study concurs with some of the aspects on the procedure of *ukuthwala* as outlined by Wadesango et al. (2011: 123), however, the study highlights the fact that no marriage negotiations become open without the girl’s consent which is the crucial aspect of *ukuthwala* that Wadesango et al. (2011) left out.

The nature of *ukuthwala* found in the study also differs with some found in other studies. De Jager (1971) for example, report on elopement as a method of *ukuthwala* in Ciskei. Elopement and *ukuthwala* are two different customs with different procedures. The differences could be attributed to differences in contexts. Furthermore, among the Xhosa of Transkei Soga (1931) found that *ukuthwala* is one form of marriage. This is a confusion as *ukuthwala* is not a form of marriage but is an act of opening up marriage negotiation process when it is difficult to do so. The differences could also be attributed to the confusion of *ukuthwala* and bride abduction (the abuse of *ukuthwala*). It also emerged from the study that traditional *ukuthwala* is prominent among the traditional Zulu communities living in deep rural areas of KwaZulu – Natal. Such a finding is consistent with earlier findings by Msimang (1991) and Nyembezi and Nxumalo (1995) who found that there is only one form of *ukuthwala* and that is traditional *ukuthwala* and anything beyond that is not *ukuthwala* but the abuse of *ukuthwala* which they termed *ubugebengu* (criminality) which is done by *izishimane*.

On the causes of *ukuthwala*, the study revealed that the rationale behind the practice of

ukuthwala is to open up the marriage negotiation process in situations where it might be difficult to open these. This finding corroborates assertions by Msimang (1991) that *ubushimane* is the number one cause for *ukuthwala* among the Zulu of KwaZulu - Natal. Positive *ukuthwala* is done by powerful men in terms of resources and money in the form of cash. This form of *ukuthwala* is not directed to women but is a power display by powerful men at powerless men (who lack such resources) who happen to be their competitors. However, powerless men engage in the abuse of *ukuthwala* to appropriate and oppress women by displaying power over them. This form of *ukuthwala* grossly violates women’s fundamental rights and their bodily integrity. It is also against the Constitution of the Republic of South Africa in terms of the legal age of consent to marry. The finding also serve to authenticate related press reports on the abuse of *ukuthwala* (bride abduction) as (Thulo 2003) writes that the abuse of ancient traditions has resulted in young women being kidnapped and raped in the Bergville district. Similar report was done by Prince (2009) that in Eastern Cape, teens as young as 14 are kidnapped and locked up, parents sell them as child brides in exchange of *ilobolo* (bride wealth) and uses the custom of *ukuthwala* as an excuse.

CONCLUSION

The study uncovered that there were various causes of *ukuthwala* and bride abduction cases in the rural areas under investigation. With the custom of *ukuthwala*, this is done to solve a problem for the young man and a young woman who finds it problematic to get married in a normal way. With bride abduction it is done to abuse women. It also emerged that the nature of *ukuthwala* is only one and that it involves traditional *ukuthwala*; and the abuse of *ukuthwala* which is usually known as bride abduction. This article has discussed *ukuthwala* practice and highlighted that the practice has various meanings to different people. The practice is a Zulu custom which aims to open up marriage negotiation process where there are barriers for these to happen. The researchers discussed the assertion of masculinities relating to powerful men versus other men and powerless men versus vulnerable women. In the discussion, the researchers have generated two concepts of *ukuthwala*, which they discuss as two forms of *ukuthwala* (that is, tradi-

tional (positive) and contemporary (negative) forms of *ukuthwala*. The traditional (positive) *ukuthwala* is done with a willing woman whereas the contemporary (negative) *ukuthwala* is a “claimed culture” which uses criminality in the name of culture.

RECOMMENDATIONS

In view of the findings of the study, the following recommendations proposed are being directed at the government, education department, communities under study and further research is encouraged. Regarding Law and Government, the ministers in the Presidency and in Local government, KwaZulu-Natal, that is, the Minister of Health, Minister of Social Development, Minister of Women, Youth, Children and the Disabled; the Human Rights Commission, The House of Traditional Leaders, the Minister of Home Affairs, Law enforcers, policy makers and analysts, should come together and have discussions to deal with the abuse of *ukuthwala*. If the South African Government is serious about making lives of women, children youth and the disabled better, the issue of forced / abused *ukuthwala* (bride abductions) should be made a priority. Law and Government should also ensure that there is gender-sensitivity educational plan within the traditional, civil and church laws. The use of education as an instrument of change and social transformation is highly recommended in this study. All agencies concerned with the upbringing and socialisation of children need to be sensitised to the need for social transformation. Poverty in rural areas has been revealed to have a direct impact on the practice of *ukuthwala*. Therefore, it calls upon the need to improve rural infrastructure. Due to the exploratory nature of the study, it has not been feasible to conduct an in-depth analysis of the various findings. Hence, it is recommended that further qualitative research be conducted that will be comparative in nature. I also suggest further research on the effects of *ukuthwala* for the abductor, the abducted, family members of both the abducted and the abductor and community members. This kind of research should go to an extent of further investigating family life of marriage through abduction.

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